

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

**IANA PRICE and JAMES EDWARD
PRICE, II,**

Plaintiffs,

v.

UNITED STATES OF AMERICA,

Defendant.

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4:18-CV-00796-ALM-KPJ

MEMORANDUM OPINION AND ORDER

Plaintiffs Iana Price and James Edward Price, II (together, “Plaintiffs”), filed this lawsuit against the United States of America (the “United States”), seeking the return of property under Fed. R. Crim. Pro. 41(g). *See* Dkt. 1. Plaintiff Iana Price filed a Motion for Leave to Proceed in forma pauperis, and the Court granted the motion. *See* Dkts. 10, 12. The United States filed a Motion to Dismiss (the “Motion”) (Dkt. 14), alleging that venue was improper in the Eastern District of Texas. *See* Dkt. 14. Plaintiff Iana Price filed a response (Dkt. 15), the United States filed a reply (Dkt. 17), and Iana Price filed a sur-reply (Dkt. 19). On September 6, 2019, the Court issued a Report and Recommendation on the Motion (the “Report and Recommendation”) (Dkt. 21), recommending that this case be transferred to the Northern District of Texas. *See* Dkt. 21. When the Court mailed Plaintiff Iana Price the Report and Recommendation, the mail was returned as undeliverable. *See* Dkt. 22.

Under Eastern District of Texas Local Rule CV-11(d), a pro se litigant “must provide the court with a physical address (i.e., a post office box is not acceptable) and is responsible for keeping the clerk advised in writing of his or her current physical address.” Local Rule CV-11(d).

Here, Plaintiff Iana Price has failed to keep the clerk advised of her current address, and the Court cannot proceed with this case without ensuring that Plaintiffs receive Court orders.

IT IS THEREFORE ORDERED that Plaintiff Iana Price shall file a status report indicating why this matter should not be dismissed for want of prosecution **by November 29, 2019**, or within thirty (30) days of receipt of this Order, whichever is later. Failure to timely file a status report will result in dismissal. If dismissal of the suit is satisfactory to Plaintiff, no further action is necessary.

The Clerk is directed to mail this Order to Plaintiff Iana Price via certified mail, return receipt requested.

So ORDERED and SIGNED this 29th day of October, 2019.

A handwritten signature in black ink, appearing to read 'KLPJ', is written over a horizontal line.

KIMBERLY C. PRIEST JOHNSON
UNITED STATES MAGISTRATE JUDGE